FEDERAL BUREAU OF INVESTIGATION
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FD-263 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
LOS ANGELES	LOS ANGELES	12/9/70	11/30/70 - 12/4/70

TITLE OF CASE: [redacted] dba Los Angeles Free Press

REPORT MADE BY: [redacted] TYPED BY: fsc b6 b7C

CHARACTER OF CASE: ITOM

- P -

ADMINISTRATIVE

[redacted] has been the subject of previous investigation at Los Angeles entitled [redacted] aka, SM - C, Los Angeles 100-33665".

Previous investigation of the "Los Angeles Free Press" was conducted in the matter entitled "LOS ANGELES FREE PRESS, IS - C, Los Angeles 100-66026".

It is further noted that copies of the "Los Angeles Free Press" are currently sent to the Bureau in the matter entitled "LOS ANGELES FREE PRESS, NEW LEFT MOVEMENT (PUBLICATIONS), Bufile 100-446997-72, Los Angeles 100-72547".

ACCOMPLISHMENTS CLAIMED ☒ NONE						ACQUITTALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO

APPROVED: W66 / Jmp SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

145-4701-1 REC 18 MCT 40 EX-103

DEC 17 1970

COPIES MADE:
1 - Bureau
2 - USA, Los Angeles (Attn: AUSA [redacted])
4 - Los Angeles (145-1403)
(1 - 100-33665)
(1 - 100-66026)

CC TO: Internal Revenue
REQ RCVD 7-27-

Dissemination Record of Attached Report				Notations
Agency				ANS BY Burk
Request Recd.				AEH
Date Fwd.				
How Fwd.				
By				

AUG 9 1971

SEC. SECT.

57 DEC 28 1970

COVER PAGE

☆ GPO : 1968 O - 299-885

LA 145-1403

LEAD

LOS ANGELES

AT LOS ANGELES, CALIFORNIA: Will maintain contact with U.S. Attorney [redacted] and Assistant U.S. Attorney [redacted] regarding information developed concerning the Los Angeles "Free Press" to ascertain if an ITOM violation may be present. b6 b7C

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 2 - USA, Los Angeles (ATTN: AUSA [redacted]) b6 b7C

Report of: [redacted] Office: Los Angeles, California
Date: 12/9/70

Field Office File #: 145-1403 Bureau File #:

Title: [redacted] dba LOS ANGELES FREE PRESS

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Investigation instituted at the request of [redacted] USA, Los Angeles, of possible Interstate Transportation of Obscene Matter (ITOM) violation involved in advertisements for hard-core pornography appearing in the "Los Angeles Free Press". The "Los Angeles Free Press" is a weekly avant-garde newspaper generally considered anti-establishment in tenor. [redacted] FBI Number [redacted] is the founder, owner, and current publisher-editor of this publication. Background of [redacted] and the "Los Angeles Free Press" set out. Samples of classified advertisements for pornography set out along with comments regarding [redacted] in response to criticism of the paper and its advertisements. [redacted] appeared before the Federal Commission on Obscenity and Pornography, and his comments are set out.

- P -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This is in answer to your request for a check of FBI files.

DETAILS:

This investigation is based upon a request from [redacted] U. S. Attorney, Los Angeles, for investigation to identify the operators of the "Los Angeles Free Press". [redacted] has observed that there are advertisements appearing regularly in the publication which offer hard-core pornographic material for sale and [redacted] desires investigation in an effort to develop evidence of an Interstate Transportation of Obscene Matter (ITOM) violation or a possible violation of the Mailing of Obscene Matter statutes.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

GPO 864 214

LA 145-1403

On November 30, 1970, Assistant U. S. Attorney [redacted] advised his office desires background information regarding this publication and the individuals who operate it. The particular thrust of the Federal interest would be to determine how culpable the management is regarding the advertisements for pornography which appear in the publication. Regarding the advertising process, he would like to know if there is any screening of the ads done and whether the advertising manager or other individual who establishes policy for the publication realizes the type of advertisements in the paper. His office desires to know if any individual can place any ad he wants in the paper and whether the management makes any efforts to screen out ads which might be improper or lead to illegal activities. b6 b7C

The "Los Angeles Free Press" is a weekly newspaper which currently maintains its offices at 7813 Beverly Boulevard, Los Angeles, California, 90036. Its headquarters were first established in June 1964, in the basement of the Fifth Estate, 8226 Sunset Boulevard, Los Angeles, where it published its finished edition. Due to increased circulation and the need for larger quarters, it moved to 5903 Melrose Avenue, then to 938 North Fairfax Avenue, and then to its current location.

[redacted] founder, is the current publisher and editor of the "Los Angeles Free Press". He [redacted] maintains his office at the newspaper's headquarters. [redacted] has been a resident of the Los Angeles area since the early 1950's. He registered his affiliation with the Peace and Freedom Party on 12/29/67, giving his occupation as "newspaper man".

[redacted] was graduated from Bronx High School in New York City in 1946. He attended Los Angeles Trade Technical College, Los Angeles, California, during 1951, completing a machine shop course. He was employed as a machinist in the Los Angeles area from 1951 through 1958.

From 1958 through 1964, he was self-employed as [redacted] Art Mimeographing and Printing in the Los Angeles area.

In a required "Statement of Ownership, Management, and Circulation" filed on October 15, 1968, with the U. S. Post Office at Los Angeles in connection with its second class mailing permit, [redacted] Publisher and Editor, reported a current weekly press run of 92,000 copies. Total paid circulation was reported as 85,000 with 14,000 copies being mail subscriptions. b6 b7C

A Dun and Bradstreet Business Information Report on the "Los Angeles Free Press" dated April 5, 1968, reflected that as of June 30, 1967, it had yearly sales of approximately $400,000, was worth $50,000 , and had 50 employees. This report further noted its operations were twofold in nature. It published a weekly newspaper with income from subscriptions and advertising. It also operated the Free Press Bookstore opened in 1966, where it engages in the retail sale of books and magazines as well as adult books. The business was originally started by [redacted] in 1964, and formerly operated by him as a proprietorship. It was incorporated in California on January 22, 1968, by the following individuals:

[redacted]
President

[redacted]
Secretary

[redacted]
Treasurer

The current issue of the "Los Angeles Free Press" for November 27, 1970, through December 3, 1970, shows the following editorial staff:

SELL IN VENDING MACHINE ONLY
OTHERWISE STOLEN - CALL 352-4134

LOS ANGELES FREE PRESS

Newspaper

25¢

35¢ Outside L.A. County

Guillory interview - part 2

Van Ness throws a fast Curb

The Furry Freak Brothers kill a turkey

210 places to go this week - see page 32

olume 7 No. 48 (Issue 332) $6.00 Per Year In Two Parts: Part One
Copyright 1970
The Los Angeles Free Press
Phone: YES-1970 Nov. 27 – Dec. 3, 1970

LOS ANGELES FREE PRESS
7813 Beverly Blvd.
Los Angeles, Calif. 90036
(213) 937-1970

Publisher..... Arthur Kunkin
Sec'y. to Publ..... Sue-Sue
Editor-in-chief..... Paul Eberle
Managing Editor..... Brian Kirby
Senior Editor..... Lawrence Lipton
Assoc. Editor..... Chris Van Ness
Music Editor..... John Carpenter
City Editor..... Judie Lewellen
Staff Writers..... Dennis Levitt
Ed Sanders
Military Editor..... Sue Marshall
D.D., D.D.T.
Production Manager...M. Kingdom
Production Assistant.... Sir Michael
of Silverlake
Proofreader..... Arthur Ross
Computyper.....Felix Flexowriter
(Laddie)
Office Manager ... Harold Brashears
Asst. Office Manager..... Linda
Maintenance Engineer ..... Bill D.
Display Advertising..... FBBJS&R
Receptionist ..... Jeanne
Classified Ads..... Frodo
Circulation & Subs .....Joan, Elise,
Connie & Chris
Calendar ..... Kitty Jay
Photolithography ..... Uncle Tom
Andy Kent
Art Dept.....Wolf Face, K.S.K.
epb, Mao & Better Head

Not responsible for cash enclosed in mail. Second class postage paid at Los Angeles, California. Published weekly. Subscriptions: $6 per year in the U.S.,$8.60 elsewhere in the Americas, $10.15 elsewhere in the World. First Class or Air Mail rates upon request. Unsolicited manuscripts and artwork that we do not publish will be destroyed three weeks after receipt unless accompanied by full-sized, stamped, self-addressed return envelope. Volume 7,No.48, (whole no. 332). Nov.27,1970.

The individual noted in this issue to be in charge of Classified Ads is [redacted] It is noted that in the previous issues from January through June 1970, an individual named [redacted] was listed as the Classified Advertising Manager. b6 b7C

In addition to the newspaper, the individuals from the publications operated the Free Press Bookstore, 424½ North Fairfax, Los Angeles, with its headquarters office at 940 North Fairfax.

Regarding the previously listed incorporators of the "Los Angeles Free Press", records of the Los Angeles County Registrar of Voters listed Miss [redacted] giving her occupation as "Business Manger", when she registered her affiliation with a major political party on March 3, 1968.

[redacted] is the wife of [redacted] As Mrs [redacted] she registed her affiliation with the Peace and Freedom Party on December 7, 1969, giving her occupation as "artist". The Los Angeles Free Press Incorporated was incorporated in the State of California on January 16, 1968. Articles of Incorporation Number 242401 set forth the following:

Type of Business	To engage in the publication, sale, and distribution of a weekly newspaper
Principal Office	Los Angeles County
Directors	[redacted] All giving their address as 938 North Fairfax Avenue Los Angeles, California

Stock	30,000 shares of non-assessable stock having a par value of $1 per share

A Fictitious Business Name Certificate Number 68-13297 was filed by the Los Angeles Free Press, 938 North Fairfax Avenue, Los Angeles, California on August 21, 1968. The firm was listed as being composed of [redacted] b6 b7C of the same address.

The following is a physical description of [redacted]

Name	[redacted]
Sex	Male
Race	White
Date of Birth	[redacted]
Place of Birth	New York City
Height	5'8"
Weight	150 pounds
Hair	Brown (long)
Residence	[redacted]
FBI Number	373 [redacted]
California Drivers License Number	[redacted]

As of October 1958 [redacted] was employed by the General Motors Corporation, Jig and Fixtures Department, 2700 Tweedy Boulevard, South Gate, California, and resided at 8634 South Alburtis Avenue, Whittier, California. This employment began in 1955.

LA 145-1403

As of October 1961, [redacted] was residing at [redacted] and self-employed as [redacted] Art Mimeographing and Printing, 4430 East Slauson Avenue, Maywood, California.

b6
b7C

On June 10, 1970, [redacted] was convicted in Los Angeles Superior Court of the Theft of Government Records involving the receipt and publishing of a list of names, addresses, and telephone numbers of 80 undercover State Narcotics Agents. [redacted] was fined $1,000 and placed on three years probation. Also convicted was [redacted] a reporter, and [redacted] a former mail clerk in the California Attorney General's Office. Details of this arrest and conviction are set out in the following newspaper accounts along with the comments of [redacted] regarding this conviction:

b6
b7C

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

Editor of Free Press Fined for Receiving List of State Agents

BY RON EINSTOSS
Times Staff Writer

The editor-publisher of the Los Angeles Free Press was fined $1,000 and one of his former reporters was fined $500 Friday for receiving stolen property—a roster of state narcotic agents.

Superior Judge Harold J. Ackerman levied the fines as conditions of three-year probation terms he ordered for Arthur G. Kunkin, 42, sole owner of the weekly publication, and Gerald R. Applebaum, 26, who now edits an underground newspaper in Berkeley.

Although placed on probation, the defendants remain convicted of a felony. Their attorneys said they would appeal.

In a brief statement before sentencing Kunkin and Applebaum, Judge Ackerman said the publication last year of the names, addresses and telephone numbers of the agents represented "a reckless disregard of the obvious consequences."

Many of the agents and their families, according to Dep. Atty. Gen. Ronald M. George and Dep. Dist. Atty. Alex Kahanowicz, had been subjected to various forms of harassment, including obscene telephone calls and threats.

"The simplest mind," Ackerman said, "should know that there are types of people who would engage in such harassment."

The court told Kunkin his revelations were unnecessary and suggested that the Free Press could have accomplished the same purpose if it had "attacked the Secret Police" editorially.

Attorneys Walter King and Mel Albaum, who represented the defendants, said that the convictions have "chilling" constitutional ramifications.

If the convictions are allowed to stand, they said, it will be unsafe for newspapers to publish anything except government releases because any such information might be stolen.

After first noting that is traditional for the American press to in-

(Indicate page, name of newspaper, city and state.)

II-1 Los Angeles Times
Los Angeles, Calif.

Date: 8/29/70
Edition: Saturday Final
Author:
Editor:

vestigate and criticize government—"and properly so (for) without it government might not perform its assigned tasks"—Ackerman said that "there always is a danger that over-broad application of criminal law will have a deterring effect on press criticism of government."

However, he added, he did not think this was the case in the matter before him.

Kunkin, Applebaum and the Free Press as a corporation were convicted by a jury last month of receiving property stolen by Jerry M. Reznick, 24, a former mail clerk in the state attorney general's office.

Reznick was found guilty by Judge Ackerman on two counts of stealing government records and was fined $500.

The attorneys for Kunkin and Applebaum contended during the trial that the documents were public, rather than private property, and that there was no evidence the defendants knew them to be stolen.

Kunkin, in a six-page letter to the court, protested that he was acting only as a journalist and not a criminal, and that as such, he was entitled to examine any public documents not classified or marked confidential.

He said the case against him establishes a dangerous new doctrine—"The George (the name of one of the prosecutors) Doctrine"—which would give the government the right to declare as private property anything it does not want the public to see.

George told the court the case is not one of "freedom of the press" and that the publication of the agent's names was not part of the charges against the defendants.

The case, he said, was one of their receiving property they knew to be stolen.

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

JURY COMMITS CRIME IN CONVICTING FREEP

(Indicate page, name of newspaper, city and state.)

Pg. 1 Free Press
Los Angeles, Calif.

Date: 7/17-23/70
Edition: Weekly
Author:
Editor:
Title:

U.S. Constitution found guilty

ART KUNKIN

The jury had been out for six days, days in which we had been sitting in the Mexican restaurant next to the courthouse drinking endless cups of coffee and feeling part of a Kafkaesque nightmare called "The Wait," when the buzzer rang; the jury had a verdict.

And I must confess (because all of us have a certain lesson to learn in this) that I sat there for the next minutes like a stupid fool, certain, despite all that I intellectually know about the prejudice of an American jury, that after hearing the lack of evidence in the five week trial the jury could not possibly find former *Freep* reporter Jerry Applebaum, the *LA Free Press* Corporation, and myself guilty of the phony and absurd charge of receiving stolen property.

At the beginning of the trial, we defendants and our attorneys, Walter King and Mel Albaum, knew that the jury had been "purified" by the prosecution. There were very few blacks or young people to begin with in the panels we had to choose jurors from, and when the prosecution finished with their challenges, there wasn't a young face or black face there.

All that was left in the jury box were middle-class, middle-aged suburbanite types; retired men and women; and some city employees; and a few nondescript unemployed types. The youngest person on the jury was a woman in her thirties who was a member of the District Attorney's Law Enforcement Advisory Council, and we left her on because she, at least, was a college graduate. There was no reason to have illusions about that jury, and yet, as the trial ended, we were sure that reason would prevail.

Well, reason did not prevail, and, if our experience means anything, it is not likely that reason will prevail in an Amerikan courtroom. That is the lesson of the Chicago Conspiracy trial; that is the lesson of the Panther trials; that is the lesson of most of the student trials.

Yes, you go into a courtroom hoping that at least this time it will be different. You cut your hair (or maybe you don't). You put on a suit and tie (or maybe you don't). And you listen quietly to the evidence and you help your attorney cross examine the prosecution witnesses and you help with the gathering of defense witnesses and you wonder if the so-called liberals who are on the prosecution team of attorneys really mean what they say as they lie to the jury and twist the facts.

And it's worth fighting in the courts on their own terms because once in a while it *is* different. Once in a while a judge has the courage to dismiss an unwarranted prosecution despite his political considerations. Once in a while even a biased American jury can be swung over to the side of justice and common sense by a forceful defense. But how can justice be anything but occasional in the Amerikan courts, particularly when an underground newspaper catering to youth and dissenting intellectuals is involved, when fifty percent of the national population is under 25 and, as in the *Free Press* case, **not one juror was under 30?**

There should not have been a conviction in the *Free Press* case. Look at the two sides!

In their closing arguments Deputy District Attorney Alex Kahanowicz and Deputy Attorney General Ronald George charged that all of the elements involved in the crime of receiving stolen property were proven against the defendants. They said that there was property ("Look, we have some pieces of paper stapled together. What else are these but property?"); it was stolen ("Look, this clerk said he brought it to the *Free Press");* it was received by the *Free Press* ("Look, there was a discussion about money and there are fingerprints of the clerk, Applebaum and Kunkin"); and there was knowledge that it was stolen property ("Look, Ma! They wrote articles saying the material was secret. How could they look at these particular documents and the hair style of the clerk without being put on notice that the documents were stolen?").

On the other hand, in his closing argument, defense attorney Mel Albaum went over the same elements (*all of them* must exist for a guilty verdict) and concluded that the evidence did not substantiate any of these elements. (For a detailed discussion of the day by day trial testimony see the *LA Free Press* for June 12, 19, 26, and July 3.)

Albaum pointed out that a document of non-commercial value which is produced by an agency of the State of California about governmental activities and is not classified (that is, is not stamped "confidential" by virtue of some legislative authority) is a public document and not private property at all.

Yes, it's true that the government agency might not like its activities known, but it always has been the right of newspapers to ferret this information out. At least it has been a recognized right until now, when the law against receiving stolen *property* (diamonds, furniture, typewriters) has been stretched to the ridiculous limits of being invoked against a newspaper practicing its First Amendment privilege of gathering and printing information about governmental activities.

Albaum, in argument, pointed out that both documents seen by the *Free Press* were not marked as confidential material. (One document was a xerox copy of an Attorney General's memorandum about an investigation into crimes by UCLA campus policemen, including burglaries and a forcible rape; the second document was a *printed* booklet giving the names and home addresses of Narcotics Bureau Personnel). He pointed out that neither document was handled in the Attorney General's office as confidential, classified documents and that the xerox copy, in particular, gave no notice on its face that the pieces of paper involved "belonged" to anyone in particular. (The natural assumption of the *Free Press* defendants being that the "original" was safely tucked away in a proper file somewhere).

Therefore the legal conclusion is that no property was involved. (This conclusion was also reached by the court which heard the Senator Dodd versus Drew Pearson case in which documents from Senator Dodd's files were illegally copied one night by ex-employees who turned them over to Drew Pearson's associate, Jack Anderson, who, in turn, was informed as to the theft. The court in that case said, "The question here is not whether appellee [Senator Dodd] had a right to keep his files from prying eyes, but whether the information taken from those files falls under the protection of the law of property, enforceable by a suit for conversion. In our view it does not. The information included the contents of letters to appellee from supplicants, and office records of other kinds, the nature of which is not fully revealed by the record. Insofar as we can tell, none of it amounts to literary property, to scientific invention, or to secret plans formulated by appellee for the conduct of commerce. Nor does it appear to be information held in any way for sale by appellee, analagous to the fresh news copy produced by a wire service.")

On the second element, that the documents were stolen, Albaum questioned the many legal gaps in the evidence. First of all, nothing was ever missed, and no particular document was ever shown to be missing. At best, the xerox copy of the UCLA memo was produced in an unauthorized manner, and there was no firm evidence that it was even government owned xerox paper or that the paper itself was of sufficient value to invoke a ten year prison sentence. (The penalty for receiving stolen property is from one to ten years in jail. The newspaper corporation may be fined and placed under probation conditions which might limit its effectiveness or even ability to exist.)

The clerk, a Jerry Reznick, accused of having intercepted a mailed copy of the personnel roster, said in court that, in fact, he had not come across a copy of the roster while handling the mail but that three copies of the roster were placed on his desk by an unknown person, were there for a considerable time without being claimed (an entire month!) and so he assumed they were being distributed to him. (See Reznick's testimony printed elsewhere in this issue.)

Despite testimony that there was great control over distribution of the roster, cross examination revealed that there were many dozens of copies delivered to the Los Angeles building in which the Attorney General's office is located and copies were given to stenographers and typists for use as Christmas card mailing lists with many "extra" copies being available.

Attorney Albaum pointed out, in addition, that there was strong reason to believe that the testimony of Jerry Reznick was coerced testimony because he was threatened with consecutive state prison terms if he did not testify for the prosecution. Albaum also said that Reznick was being inadequately, and wrongly, represented by an attorney just out of the District Attorney's office who had been there while the case against the *Free Press* was being prepared and that the circumstances surrounding the removal of the documents (they were evidently mailed out of the office by some unspecified person or persons other than Reznick, whom the prosecution did not present in court, either as defendants or witnesses) including their clouded status as property did not give legal substance to the admissions of Reznick.

Furthermore, and this is perhaps the key element in the case, even if there was property and even if Reznick's statements are taken at face value, that would have no bearing on whether the *Free Press* criminally received the documents and had any knowledge of a prior theft.

First of all, Reznick represented himself to the *Free Press* as being an employee of the Attorney General's office. As far as *Free Press* writer Jerry Applebaum knew, Reznick was entitled to have the documents in his possession. (In fact, Applebaum at first wondered if Reznick was a narcotics agent himself.)

In addition, Reznick testified that, from the very beginning of the talks with Jerry Applebaum, he made clear he wanted the documents back and that all discussions about payment involved the information on the pieces of paper, not the sale of the documents themselves. Therefore, Reznick's testimony itself makes clear the crucial point that there was neither a purchase of anything or a "receiving," only a seeing of information.

Reznick also reported to the court that in all of his conversations with Jerry Applebaum, it was clear that Applebaum did not make any promises about payment or use of the information; he merely handled the documents to authenticate them and then passed them on to an editor. Testimony by *Free Press* business manager Fran Troy further revealed that Applebaum could not make commitments for the newspaper since at the time of these discussions he was still a free lance contributor and not a staff member.

And by its publication of the information in the two documents, the *Free Press* publicly stated that it had seen the documents. The *Free Press* certainly did not engage in the "concealing" or "withholding" normally associated with guilty knowledge of a criminal theft.

The prosecution made much of the fingerprint evidence, but there was no evidence to disprove the fact that my fingerprints got on the roster in the few minutes that I examined it for authenticity before returning it to the editorial department. (I certainly didn't have that "dominion" over the document that the prosecution claimed was a "receiving" because I knew the condition of our seeing the document was its eventual return).

And if the jury paid attention to my statements in the *Free Press* or on the television program which the jury heard, it should have been clear that right from the beginning (and to this day) it was my belief that these were public documents about governmental activity which a newspaper is entitled to extract information from under the First Amendment provisions of the US Constitution. From these same sources, and from Reznick himself, the jury certainly also knew that I had never met Reznick or even knew his name until the court proceedings began, and thus could have had no "actual knowledge" of a prior theft.

Thus, Albaum concluded, in relation to the defendants in the *Free Press* case, none of the elements in the case were proven beyond a reasonable doubt, and particularly those of criminal knowledge and intent.

When the jury delivered its verdict, Jerry Applebaum said to the court, "Wouldn't it be proper now to lower the flag and raise the Nazi swastika?" I said, in my anger, that we were not criminals; the jury and prosecutor were the real criminals!

What happens now is that on August 28th we go up for sentencing. (Before that we, as convicted fel-

ons, have to speak to the probation department where we'll tell them that, despite the trial, we still think we're innocent and acted properly in looking at the documents). On that day we'll also ask Judge Ackerman for a new trial based on the fact that the jury obviously did not return its verdict on the insufficient evidence presented to them.

Then, if there is no new trial set (and there will be a lot of political pressure on Judge Ackerman to deny a new trial) we begin the long road into the appeals courts.

By our conviction the prosecution has established a new right of the government to privacy. From now on any government agency or public official who wants their activities concealed can simply accomplish this by threatening a newspaper with criminal prosecution. All journalists must hereafter confine themselve to the official press releases of the various agencies. We will, therefore, rapidly move to a total government control and management of news.

Unfortunately, the mass media have not as yet woken up to the significiance of the *Free Press* trial which has just concluded. Up to this point, all they have wanted to tell the public is that somehow we are only on trial for publishing the roster of narcotics agents. Well, that is not true; publishing had nothing at all to do with the charge against us, and should have had nothing to do with the verdict because the judge gave a specific instruction on this to the jury. (We can assume, however, that the jury, in fact, did convict the *Free Press* because of our anti-establishment editorial position as there were no other grounds in the evidence itself. And if that is true, there should be a new trial.)

What is to be done now? I will be making myself available to speak to university and community groups around the country in order to educate people as to the significance of the case and also to raise money for the defense attorneys. (They have had to take out personal loans to maintain themselves through these long weeks in court).

Jerry Applebaum has announced himself as a candidate for Attorney General of the State of California and, while his campaign itself may not be very together, he is probably pointing out the way that anti-establishment forces must move. It's a losing battle in the courts alone (where even if you "win," the defense takes money and precious time), and it's a losing battle in the streets alone. What's needed is an integrated struggle which is aimed at taking away the institutions of power from those who presently control and abuse them in defense of their privileges. And if we need to have political action of a new type to do this, then that's the way to go. But it must be seriously done with much forethought.

Perhaps the jury voted as it did in an effort to crush dissent. If that was their intent, they are in for a surprise. When young people and intellectuals throughout the country hear of this terribly unwise and unwarranted repression, it will be as if fuel is added to the fire of our time. Revolution may bring about counter-revolution, but counter-revolution also brings about revolution!

'J'Accuse!' says Free Press publisher Art Kunkin Photo by Allan Zak

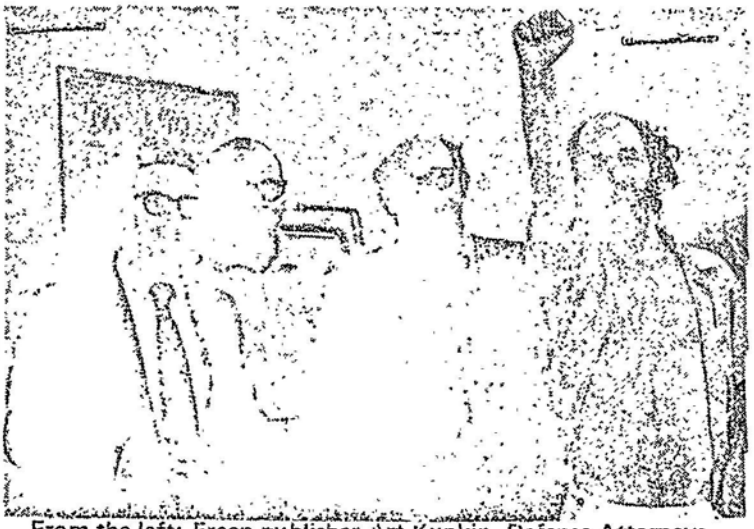


Photo by Andy Kent

From the left: Freep publisher Art Kunkin, Defense Attorneys Walter King and Mel Albaum, and former Freep reporter Jerry Applebaum meet in front of the Free Press building to discuss their trial with Channel 2 cameramen. Next weeks Free Press will carry this interview and more portions of the trial transcript.

On January 27, 1969, [redacted] was acquitted in Los Angeles Municipal Court on charges of Interfering with a Police Officer, in connection with police arrests at a "love in" at Elysian Park. b6 b7C

Some printing for [redacted] is done by Alfred's Newspaper Printing Company which is located at 14921 Proctor Street, City of Industry, telephone number 330-1601. Records of the Southern California Edison Company indicate electrical service at this establishment was signed for on December 2, 1969, by [redacted] telephone number [redacted]. His partner was identified as [redacted]

The "Los Angeles Free Press" is an avant-garde newspaper that is generally considered anti-establishment in tenor. Its Classified Want Ads Section regularly solicits items devoted to free love and sexual activities solicitation.

The following are copies of the Classified Ad rates and samples of the advertisements for pornography which appear in the November 13, 1970, issue of the "Los Angeles Free Press":

CLASSIFIED

7813 Beverly Blvd.
Los Angeles
Calif. 90036

(ILLEGIBLE ADS WILL NOT BE ACCEPTED)

(This information is for our files and will not be published.)

name.....

address.....

city.....phone.....

DEADLINE NOON MONDAY

AD RATES

Standard type: $1.00 for the first line and 50¢ for every line thereafter. There are *31 units* per regular line. A *unit* is a letter, number, a space between words, or a punctuation mark. There are *20 units* in a line of all CAPITALS.
BOLD FACE TYPE: $1.00 per line. There are *17 units* in a line of Upper or Lower case **BOLD. BOLD FACE TYPE** cannot be mixed on the same line with standard type.

To run ads continuously, just enclose the amount to correspond to the number of desired insertions. *(We do not bill.)*

PERSONAL ADS involving a liaison between persons, couples, or groups, will NOT be accepted with telephone numbers. An address or box number is required. (We do *not provide box numbers.*)

We reserve the right to edit or reject copy which we consider to be in poor taste, or which might result in legal action.

REJECTED or CANCELLED copy takes at least three weeks to process and there will be a Service Charge of $1.00 per ad.

DEADLINE NOON MONDAY

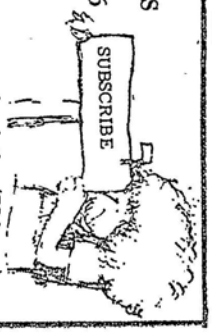
ALL ADS must be delivered and paid for in person or by mail *before 12 NOON Monday* to appear in the following Friday's edition. NO cancellations or copy changes after Noon Monday.

BOLDFACE-17 UNITS	Bold Face Title...$1.00
CAPITALS-20 UNITS	First Line of Copy...$1.00
SOME CAPITALS 27 units long	Each Line Thereafter is 50¢
A regular line is 31 units long	

THE ABOVE EXAMPLE AD
WOULD COST...$3.00

For your protection: send check or money order only

LOS ANGELES FREE PRESS
7813 Beverly Boulevard
Los Angeles, California 90036
(published weekly)



☐ I have enclosed $6 for a one-year subscription (52 issues).

☐ I have enclosed $10 for a 2-year subscription (104 issues).

☐ Please enter a subscription to the following as my gift, and include/omit (circle one) a gift card. Sign the card from:

_____

☐ This is a renewal.

Since a lot of us can't round up $6.00 all at one time, we now offer a six month (24 issue) subscription for only $3.00.

Peace

NAME
(Please print clearly)

STREET & NO.

CITY STATE Zip Required

PLEASE NOTE: Subscribers, any correspondence you may have with the Free Press concerning your subscription, please attach an address label, in order to expedite handling. Subscribers with an APO/FPO address pay regular prices, paper sent wrapped, no extra bread. For subscriptions to Canada and Latin America, please add $2.60 per year for postage; rest of world, add $4.15. Always send U.S. Currency.

MOVING???????????????

Mail Order

For the list of companies that offer those special nude photos, films, and catalogs, send $5.00 to STONE-Z, 1650 Winona Blvd., #4, L.A., Calif 90027.

MALE ACTION DUOS

For the private collector of male duo action photos! NEW! Never published nor will ever be published; handsome guys, both butch and pretty boys together in every conceivable position of male love making. 16 exciting guys in 8 beautiful 5x7 photos. Send $5.00 for this rare combination to COASTLINE, P.O. BOX 36012, L.A., Calif. 90036 Fully guaranteed! Signed statement of over 21 a must.

MALE ACTION DUOS

PORNOGRAPHY

Your name sent to numerous Scandinavian dealers of hard-core pornography that send out free illustrated catalogs. $2.00 to GP-1, 965 N. Danville, Abilene, Tex.

PORNOGRAPHY
Where You Can Get It

List of 70 Danish & Swedish mail order dealers of hard core porno. who offer FREE color catalogs. $2 cash only to: OLAF, 525 N Laurel Ave., LA, Ca. 90048. State you are over 21.

PORNOGRAPHY FROM DENMARK

Danish wholesale dealer offers you his catalogue, discreetly mailed. Would you like to know what we've got? IT ALL! The real thing, far below US prices. Send$1, cash only, for air mail and handling to: SJAK, Dumpedal, 4340 Tollose, Denmark. State that you are over 21.

MALE NUDE "ACTION" PHOTOS, Color slides and Movies. Send $2. for the WORLD'S LARGEST Male Nude Catalog (40 PAGES) plus BIG Sample. State in writing you are over 21 years of age. MIKE DIAMOND PRODUCTIONS, PO Box 2927, Dept-F, Hollywood, Ca. 90028

"ORGY ACTION" Beautiful Couples doing their thing! Guys & Chicks freaking out—together—NUDE & UNCENSORED! Send 25¢ for ORGY Magazine Catalog. You must state in writing you are over 21. SINCLAIR-DIAMOND STUDIO, Dept-F, 1350 North Highland Avenue, Hollywood, California 90028.

TIRED OF PHONIES ON PORNA

For the real thing, 8MM films, magazines, books, & etc. Guar to be what you are looking for. For samples & info. send $1.00 to: BJD Box 98, Ontario, Ca. 91764. Must be over 21.

COLOR CLIMAX MAGAZINES — NOW $7.50 EACH

Now you can get those fantastic, 32 page, full-color, Danish Color Climax magazines for only $7.50 each. 3 for $20.00.

All orders are mailed to you first-class from the U.S.A., not Denmark. Delivery absolutely guaranteed.

Order any Color Climax magazine from number 1 through number 36 and watch how fast your order is in your mailbox. Also, famous Color Climax films in Super 8 are available for $40.00 each.

Act now, while they last.

BARRON'S
340 Jones Street, Suite 343
San Francisco, California 94102

Adults only! You must be at least 21 and so state in your order.

TYPICAL ADVERTISEMENTS FOR PORNOGRAPHY APPEARING IN LOS ANGELES FREE PRESS

In the April 3, 1970, issue of the "Los Angeles Free Press", [redacted] made some comments in response to criticism of the newspaper in several areas, including advertisements of a sexual nature. A copy of his comments follows. [redacted] also appeared before the Commission on Obscenity and Pornography, and his comments are noted:

b6
b7C

Free Press critics have their say

filling a promise made pre-
usly to some individuals
tical of the Free Press, Art
nkin, editor-publisher of the
s Angeles Free Press held
open meeting at the Beverly
ateau Monday night so read-
could offer objections and
as on how to improve the
ee Press. The meeting was
olicized in a Free Press
icle last week.

The meeting was attended by
out 60 persons of the esti-
ted 250,000 who read the
ee Press. Tom Ritt, "resi-
nt theologian" of KPFK and
occasional contributor to
Free Press, moderated what
rned out to be a vigorous
d loud session. As one par-
ipant, writer Todd Everett
inted out, however, "This is
meeting dominated by the most
tspoken critics of the paper;
any who would have had kinder
d gentler words did not
me."

Three main subjects were
rought up as focal points of
iticism: sex ads, how Free
ress editorial content is con-
olled, and scope of news
overage.

Those who came forth to air
eir grievances were a mixed
oup of old leftists, women's
peration advocates, Gay per-
ns, dissatisfied former wri-
rs, student peace groups and
ree Press staff members
nany of whom responded to
dividual points of criticism
fecting their own work).

Those representing Women's
iberation were probably the
ost visible, the most numer-
us and the most vocal in at-
ndance. Calling for an end
"sex-ploitation" ads which
ey consider to depict women
demeaning and offensive
ays, one lady presented sam-
les of art and art work to
hich she objected. Two other
eople, one a woman,
ommented that they felt the
ree Press would be censoring
ee speech if such ads were
scontinued.

Several of the people at the
eeting voiced the question,
s the Free Press intended
be a movement paper?"

Another issue brought out by
me of these [illegible]
eling that there was inade-
uate hard news coverage of
ocal activity, an inability to
each the editorial department
ith information, and a same-
to week. There was criticism from both left and right on these questions, with one man speaking about the need to cover the California Democratic Council more thoroughly and another speaking about the need for more coverage of the Student Mobilization Committee.

In response to many of these suggestions Art Kunkin agreed to run a readership survey ballot in a forthcoming issue, add more reporters to the editorial department to improve the coverage of hard news, and to see that the overlooked stories specifically mentioned at the meeting were adequately covered in the future. The purpose of the readership survey would be to get a large sampling of reader opinion on editorial and advertising policies as well as to find out who reads the paper. It was agreed that the results of such a poll would be published in the paper.

In response to a voiced criticism that the Free Press was getting to be like the L.A. Times and the Examiner, the publisher pointed out that those institutions were not known to call public meetings where critics could confront the writers and publisher. He observed that the Free Press was started not to voice the opinions of one man but with the intent of providing a place where all concerned with developing alternative politics and culture could have their say. In this sense the Free Press can be considered to be a movement paper but it is not and should not be a mouthpiece for any particular organization. Where "movement" or organizations act questionably, it is the frankest kind of criticism which is most helpful, not the concealment of wrong.

The publisher told of the hand to mouth existence at the beginning of the paper because of inadequate finances and how this resulted in an instability of staff, impossible hours, threatening the very existence of the paper, and greater inability than presently to really cover the news of the community. He said that his answer to these problems was to run the paper like a business which paid its own way so that it would be a stable part of the "movement" and be able to respond to needs as they develop in the years to come.

In response to those who spoke of the "sameness" of the paper from week to week, he observed that the paper was like a picture frame filling up each week with the activities of the community, and that the point was to "survive" through times when little seemed to be happening and we were just observing molecular developments (that, too, having its importance) to those times of a Century City demonstration, a Watts Rebellion, or a great journalistic expose where everyone would once again appreciate having a progressive communication format in the community. Meanwhile, the paper goes along listing all sorts of organizational and cultural activities in the calendar and through advertisements, reporting on the community, and advancing notions of alternative culture and politics.

In response to Women's Liberation, the publisher said he would try to respond to their criticisms and agreed to meet with and help a woman who has plans to start a Women's Liberation publication in Los Angeles. He observed in connection with a discussion of the the paper that he planned to publish the details of an agreement he is working out with the Free Press staff on questions of wages and hours which includes such provisions as a $3 hourly minimum wage, fully prepaid medical and dental plan, and a grievance procedure which provides for an arbitration panel of movement leaders to intervene with full decision making powers in cases of disagreement between the publisher and staff. He said that he would be willing to listen to anyone who had a serious plan to finance the goals of the Free Press without resorting to advertising, but doubted that such a plan would materialize.

Considering the critical nature of the individuals who attended, the meeting ended on a very positive note with a feeling of some accomplishment. Plans are now being made to implement the promises voiced at the meeting, including the readership survey and the hiring of additional reporters.

Obscenity Commission hears Freep; No pie thrown

Statement of Arthur Kunkin, Editor and Publisher of The Los Angeles Free Press, *before the Commission on Obscenity and Pornography, meeting at the Los Angeles City Hall, May 4, 1970*

Ladies and Gentlemen of the Commission:

From the vantage point of being the publisher of the first and largest of the so-called underground newspapers in the United States, I want to focus on two special areas in this presentation. First, to what extent do the present laws on pornography and obscenity contribute to the sense of social revolt among youth, and, secondly, to what extent do these laws provide a means for local authorities to suppress legitimate political differences?

I believe that these questions are directly related to the purposes of this commission which is charged by Congress with the determination of "whether such (pornographic) materials are harmful to the public" and to study the "causal relationship of such materials to antisocial behavior." Phrasing the questions as I have will hopefully aid the Commission in arriving at the truth of the matter and will, perhaps, aid the Commission in understanding whether it is the pornographic materials under discussion or it is the attempts to suppress pornography which are more harmful to the country.

I believe that the Commission must link its study and work in the area of pornography to the study and work being done in the area of lowering the voting age from 21 to 18. The voting age is not being lowered merely because this country is sending young men of less than voting age to die in war; that argument is only a blunt way of summing up a whole range of situations in which there is a difference between what is expected of young people today and the way the laws of a different era define immaturity and the prerequisites for full citizenship.

The fact is that given our modern electronic network of information-communication, the young people of today cannot be compared to the young people of any other time. For example the young of even 100 years ago could only know about sex and human relationships between men and women by observing the conduct of their parents, their parent's friends and the adults in the immediate neighborhood. Even those children of wealthier social-economic groups which travelled more extensively were sheltered by the limited means of information propagation from the sexual facts of life as well as the other realities of adult concern.

The situation today is quite different. A young person sitting in front of a television set at home, a movie screen in a theater or a schoolroom, by walking down Sunset Strip or the Main Street of any large American city, or by looking at a modern magazine, newspaper or encyclopedia while completing a homework assignment is faced with anthropologically comparing the customs of an African tribe and Western cowboys, perhaps viewing the agonizings of a President Nixon or an Ex-President Johnson over Vietnam and Cambodia (and did the Warren Commission really find out the truth about the assassination of President Kennedy?), the sexual and social customs of a conceptualized non-human society in a space opera, the cruelties of criminal society in a detective story, and a vast range of other information from news broadcasts about the immediate social tensions and problems in every country of the world. For example, a young teenager who heard today that I was going to speak before this Commission said, "Ask them one question. Ask them if the legalization of pornography in Denmark resulted in an increase in rape."

It is not simply a quantitative increase of information. By being forced to compare, assimilate and relate this flood of information to what is already known, rapidly and continually, the human mind matures faster and may even think more honestly today than humankind has ever before known in its history.

This information explosion, this mind expansion is obviously related to the relationship of pornography to the young person, and to many adults as well. The young American today knows more about sex and its place in human relationships than perhaps any other comparable group in human history, and knowledge creates a thirst for more knowledge. In this situation censorship laws which had as their original intent the guiding of the immature mind of another, simpler era not only fail to be effective from the point of view of society but create a resentment which contributes to what we see happening today on the high school and college campuses of our country.

Lowering the voting age is correctly seen as reducing the legitimate grievances of a powerless group which feels as knowledgeable as franchised adults. But lowering the voting age will resolve little unless the other laws which deal with the youth of the 1970's as if they were the same as the youth of 1900 are also brought up to date.

With the honesty that comes from their extended knowledge, the young people of our time have a totally different definition of pornography and obscenity than previously accepted. They do not see anything at all obscene about the human body or knowledge of the human body. They ask you of the older generation mockingly, "How could God have created an obscenity?"

Yes, there are things that are offensive to these sophisticated young people, and offensive is to their way of thinking the true synonym for the word "obscene." For their twentieth century minds it is obscene, it is offensive to be untruthful, to censor, to conceal knowledge for the sake of obtaining or retaining power over other people; to them it is offensive, obscene to kill people in Southeast Asia for tungsten reserves and the financial interests of large corporations while mouthing words about democracy and self-government. Yes, the young people have a morality and no one has to fear that changing our existing laws about pornography would result in a world without morality, in a world without ethics.

I am not asking you to simply accept my word about this or that the young people of the nation are as I have described them. You can find out for yourselves. Listen to the music that the young listen to, the music of Dylan, the Beatles, Joni Mitchell, John Sebastian, the Rolling Stones, Joan Baez. Go to see the films *Woodstock, Easy Rider, Midnight Cowboy,* and *The Graduate.* Read Allen Ginsberg, Allen Watts and the underground press. I ask you to look at the new culture, take it seriously, the lyrics and the rhythms, and listen to the young people themselves instead of only to the sociologists and the academic experts. It is all there! The America of the young is not the America that you of the Commission necessarily know, and if you are going to fulfill your obligation to Congress and to the nation you are going to have to open your eyes and ears and perhaps your heart as well.

This Commission will frankly not have fulfilled its function unless its members freely and without excessive publicity go to high school and college campuses and speak to the young people. Ask them what they think about the censorship which prevents them from seeing *Woodstock* or *Easy Rider.* Ask them if they think this is wise, this attempt to conceal from a generation that culture which the generation itself has created? Ask them if they resent this censorship, if any resentment felt is connected to the campus disturbances, if their resentment over this censorship has led them to question the sincerity and values and wisdom of their government? Ask them to define obscenity, morality and ask them how many four letter words they know and if a four letter word or the sight of an unclothed body will be disgusting to them and lead them into a life of depravity or crime? Of course, I am presuming that the Commission has not already sought out the young of our country in this direct manner. I hope that I am wrong and that the Commission has had the wisdom and foresight to extend its sources of information beyond presentations at the City Halls of the country.

Before I conclude I want to spend a few moments on the second question I raised: to what extent do the present laws on obscenity provide a means for local authorities to attempt to suppress legitimate political differences.

First, let me say that pornography laws don't work today. Look at the bookstores and motion picture theaters of Los Angeles today if you doubt that. It is not only the Supreme Court decisions which leave the pornographers free to exhibit their films and sell their books while their trials are pending; more fundamentally the Supreme Court only acts as it does because much of the country, and particularly the young, are questioning censorship and advocating the extension of democratic freedoms.

It is a situation very analogous to what prevailed when the government attempted to prohibit alcoholic beverages; if the people don't agree, if the people still attempt to obtain and consume the forbidden products, the people will prevail even if the laws have to be rewritten or politicians removed from office.

Large numbers of people today approve of increased knowledge about sexual matters and are even concerned that their children obtain levels of sex education that are forbidden by law and practice today. Given these conditions the laws and practices relating to films and written materials about sexual relations must and will change and we will hopefully remove these matters from the commercial interests which promote salaciousness and a degradation of the human body to where a high school can show a meaningful and true film about the sexual act. The very existence of this Commission is proof that these concerns have even reached the highest levels of government. As my newspaper has observed, even Spiro Agnew has children, and Kim Agnew, his young teen age daughter is obviously contributing much to her father's knowledge about the changing world he lives in.

No, the obscenity laws don't work anymore and Humpty-Dumpty can only be put together again if the whole society is put under the thumb of an autocratic and dictatorial government. Meanwhile, the law enforcement agencies must feel nowadays like the little boy who is trying to restrain the power of a reservoir with his finger. In fact, my observation is that all over the country the obscenity laws have not substantially interfered with the production or distribution of wholly salacious material (and, of course, there is a great problem in defining "Wholly") but have been used in large part to suppress political and literary journals which have as part of their concern the challenging of sexual taboos and the changing of law in this area.

In other words, I am charging that one of the primary uses, if not the primary effective use, of our existing obscenity statutes is to allow law enforcement agencies to attempt a censorship of unpopular political and literary expression which they could not otherwise suppress given existing constitutional protections. The law enforcement agencies wait for their opportunity to see an allegedly sexually offensive article or advertisement, bring the usually underfinanced publications into court and compel them to hire lawyers and expend valuable time in defending their publication rights. The fact that in almost all the cases the publications are eventually vindicated in court does not adequately reveal that the financial harassment often forces the publication to shut down and discontinue advocacy of its unpopular views—which is what the local law authorities had in mind in the first place, of course.

Pornography and obscenity laws are now on the books because the religious and political powers that wrote them into existence used them as a means of social control over the population. The theory was that if you had strict and firm authority in the family and over sexual relations there would be a recognition of authority and social stratification throughout society—and it was a theory that worked for much of human history. Well, many people, and particularly young people, are upset with the social stratification that exists in our modern affluent society. They are increasingly challenging the old means of social control and the places reserved for young people, women, minorities and ordinary working people. Either the government responds to these new challenges and changes the many laws involved, whether they relate to obscenity, abortions, the role of students in school, etc., or the government is going to continue to be in trouble with its own citizens.

Thank you for listening.

FD-263 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
LOS ANGELES	LOS ANGELES	3/18/71	12/20/70 - 3/15/71

TITLE OF CASE

[redacted] dba
LOS ANGELES FREE PRESS

REPORT MADE BY [redacted] TYPED BY rkp

CHARACTER OF CASE

ITOM

REFERENCE: Report of SA [redacted] 12/9/70, at Los Angeles.

- C -

b6
b7C

CC TO: Internal Revenue
REQ. RECD 7-27-71
AUG 9 1971
ANS.
BY: Bu 8 AEH

C

ACCOMPLISHMENTS CLAIMED ☒ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO

APPROVED [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:
1- Bureau (145-4701)
1- USA, Los Angeles
(Attn: AUSA [redacted])
1- Los Angeles (145-1403)

145-4701-2

DEC-5

17 MAR 24 1971

X-112

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By	C/79			

Notations: STAT/SECT.

58 MAR 30 1971

COVER PAGE

☆ GPO : 1968 O - 299-885

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1- USA, Los Angeles (ATTN: AUSA [redacted] b6 b7C

Report of: [redacted] Office: Los Angeles, Calif.
Date: 3/18/71

Field Office File #: 145-1403 Bureau File #: 145-4701

Title: [redacted] dba
LOS ANGELES FREE PRESS

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Advertisements for the sale of pornography continue to appear in the LOS ANGELES FREE PRESS, Los Angeles, California. Newspaper policy of San Francisco and Santa Monica, Calif. newspapers regarding advertisements for adult films and pornography set out. Postal Inspectors at Los Angeles are currently making test purchases of material advertised in the FREE PRESS. AUSA [redacted] Los Angeles, desires no further FBI investigation at this time.

- C -

DETAILS:

AT LOS ANGELES, CALIFORNIA:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This is in answer to your request for a check of FBI files.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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A review of the weekly issues of the LOS ANGELES FREE PRESS reflects it continues to carry advertisements for the sale of pornography. Following are typical ads appearing in the 1/22/71 issue:

Los Angeles Free Press January 22, 1971

Mail Order

ORGY GUIDE
GET SOME FLESH! SEX-FILLED swinging groovy places to go in L.A. and S.F. Have a ball; get yours. Rush $2.00 today to:
ORGY GUIDE
Box 48337-FP, Hollywood 90048

ADULT BOOKS
Plus catalog of those hard - to - get novelties. Send 25 cents for both. If over 21, to Galaxy Bookstore, 5464 Santa Monica Blvd., L.A. Calif. 90029

UNSHOCKABLE ADULTS
Promise to keep our catalog from minors & send $1 to: Micnan's, 6311 Yucca St., L.A. 90028 & get on big list. State U R 21.

PORNOGRAPHY
Your name sent to numerous Scandinavian dealers of hard-core pornography that send out free illustrated catalogs. $2.00 to List, 965-B, N. Danville, Abilene, Tex. 79604

PORNOGRAPHY
Where You Can Get It
List of 70 Danish & Swedish mail order dealers of hard core porno, who offer FREE color catalogs. $2 cash only to: OLAF, 525 N. Laurel Av., LA Ca. 90048 State you are over 21.

PORNOGRAPHY LEGAL!
Stop looking! Get Judge's Porno Ruling, our Super Sex Package & Your Name on our Mailing Lists! $1. processing fee Socks it to you from HOLLYVILLE, Box 3421, Hollywood, Ca. 90028. R U 21? Signature a must! State interests

COLOR MAGAZINES
Exclusive and strong Danish color magazines in the best quality only $3/copy. Airmail $1 extra/copy. Quick and discreet delivery against payment in advance when you state you are over 21 years old and send it in your order to B.B.C., Box 60, DK2700, Bronshoj, Denmark.

ADULT PHOTOS, Films, Books, Magazines. Illustrated Catalogs, 25 cents. Viking Imports, Dept. FP, 406 S. Second St., Alhambra, Calif. 91802 (Over 21).

PORNOGRAPHY FROM DENMARK
Danish Wholesale Dealer offers you his catalogue. Would you like to know what we've got? IT ALL! The real thing, far below US prices. Not ONE dissatisfied customer - hundreds of re-orders! Send $2, Cash only, for air mail and handling to: SJAK, Dumpedal, 4340 Tollose, Denmark. You'll get a bunch of material. State age & special interests if any. Dealers Apply.

The following newpaper article in the Los Angeles Times issue of 12/20/70 concerns the policy of 2 San Francisco papers policy on running sex-film ads. In addition, the Santa Monica Evening Outlook issue of 2/18/71 concerned its adult film ad policy:

2 S.F. Papers Feud on Running Sex-Film Ads

Examiner Rejects Publicity of 'Moral Polluters'; Chronicle Ridicules Move

BY DARYL LEMBKE
Times Staff Writer

SAN FRANCISCO — This city's two daily newspapers are in a new donnybrook over how much advertising to run for sex-movie houses.

Indignant over the proliferation of so-called "skin-flick" theaters, the San Francisco Examiner announced in a lengthy editorial last week that it would accept no more ads from such places.

"We can no longer permit our advertising columns to be exploited by the panderers of moral pollution," the Examiner explained.

Since that day, the evening Examiner, which has in the past proclaimed itself the city's "decent newspaper" to contrast with the often racy morning Chronicle, has had a greatly reduced selection of movie advertisements in the amusement section.

The Chronicle came back with a blistering editorial by editor Scott Newhall. He complained:

"What is utterly disturbing is the fact that a newspaper of even moderate daily circulation should debase the coinage of the American free press by refusing to print advertising for these woebegone enterprises without even looking at or considering the merit of the actual advertisement."

Censorship

The Chronicle went on to call the rival paper's editorial "journalistic dung" and questioned whether the Examiner would next refuse political advertising from candidates with whom it disagrees. It charged its rival with censorship.

The Chronicle also claimed that in spite of its sanctimonious position, the Examiner still stood to benefit from sex-movie ads that continue to run in the Chronicle. Since merging their printing, advertising and circulation departments in 1965, the two papers evenly split all advertising revenue from both papers.

The editorial departments are still separate. They fiercely compete and call names in the tradition of the old newspaper wars before the turn of the century. The papers are separately owned, the Examiner by the Hearsts and the Chronicle by the Thieriot family.

Fee for Charity

The Examiner hastened to print a stinging rebuttal in which it explained that it had intended to donate its share of the Chronicle advertising of pornographic movies to charity.

It had now changed its mind, the Examiner stated, and would instead present the money to the Chronicle "for its own peculiar purposes."

Retaliating for Chronicle columnist Herb Caen's frequent reference to the Examiner as the "brand X paper," the Examiner described the Chronicle editorial as "typical brand Sex style."

Meanwhile, Police Chief Alfred Nelder asked the Board of Supervisors for an ordinance to crack down on the "skin-flick" houses by requiring that they obtain a permit from his department. He said Los Angeles already had a permit system and that one man rejected for a permit in Los Angeles was now running movie theaters in San Francisco.

Mayor Joseph L. Alioto entered obliquely into the scrap between the newspapers by denying that San Francisco was "the smut capital of the nation," as claimed in the Examiner.

He said Los Angeles outnumbered San Francisco in pornographic movie

houses, 50 to 27, and in arcades, 75 to 6, and in bars where pornographic movies are shown 100 to one.

Examiner editorial writer Jack Castel said the paper had received about 100 letters and telegrams regarding its ban on ads, most of them agreeing with the position.

His publisher, Charles Gould, was asked how the Examiner would decide which ads to reject.

"That's very difficult," he conceded. "We explored all approaches to what we think is a meaningful problem and finally decided to arbitrarily eliminate all theaters deliberately appealing to prurient interests. Quite a number have sprung up in the last few years. They grind out a film and put it on in a backroom."

Ad Screening

He said that when doubt arises, he or his movie reviewers might view the film to judge whether an ad should be accepted. Ads will still be run for established theaters, even though their movies may be far from Victorian, Gould said.

He explained that the Examiner had been tightening its standards on movie ads for three years while trying to keep the restrictions constitutional.

Gould said the paper would probably pay the Chronicle only about $7,500 a year as a refund for its share of the revenue from risque movie ads which run in the Chronicle but not in the Examiner.

John Wasserman, a Chronicle movie critic who was attacked in an Examiner editorial for his testimony as an expert defense witness in trials of sex-movie house operators, said the state law defining obscenity was vague.

Conviction for violation requires proving that the matter "exceeds customary limits of candor" and "is utterly without redeeming social importance."

"Who knows what those phrases mean?" Wasserman asked.

As for the Examiner's scornful labeling of his testimony as "the Wasserman test," the movie critic shot back: "All my friends are envious of me for getting attacked by the Examiner. It's like being attacked by Martha Mitchell."

EVENING OUTLOOK

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President

Editorial Page

Our Adult Film Ad Policy

"It seems logical to me that if you are so against pornography in movies that you shouldn't advertise it in your entertainment section."

This is a woman reader's letter to the editor received earlier this week, and it's not surprising. But it shows some confusion.

Although the letter writer didn't so state, it seems apparent that she is criticizing the fact that we accept adult movie theater advertisements while, at the same time, we are publishing an extensive series of articles on the "hard-core" adult movie industry.

Our articles, however, do not express a point of view. They are the result of a two-month investigation into this expanding industry, and their purpose is to inform the readers about a highly controversial social development.

We have expressed on our editorial pages in the past our disapproval of the spread of obscenity in recent years, and of Supreme Court decisions that have permitted this to happen. And we don't approve in any way of the material being offered the public in adult movies theaters, and in books and magazines, as a result of these decisions.

However, the purpose of our series is not to influence the public to be for or against this material. We believe an informed public will make its feelings known when it has the facts upon which to act.

In the meantime, the Santa Monica city attorney's office has not seen fit to interfere in a legal sense with the operation of any of Santa Monica's five adult movie theaters, all of which are showing hard-core material. Therefore, we have no right to "censor" these businesses by refusing to accept their advertising. We might not agree with a political candidate's position, either, but that doesn't entitle us to reject his advertising, or to refuse to publish in our news columns his positions and ideas.

It should be remembered that many readers apparently want the kind of information contained in these film advertisements, or they wouldn't respond to it by paying the high ticket prices to see what is being shown.

One of the hard-core producers highlighted in our series of articles described Fresno authorities as "not very bright" for trying to take legal action against material being shown in one of his theaters.

Here in Santa Monica, it might not prove to be "very bright" to try to enforce existing anti-obscenity laws, but we believe the public would approve a test case involving one of the theaters in Santa Monica — even if it took months or years of litigation up through the appellate courts.

When and if such a case is brought, we will review our current policy of accepting advertising from these theaters.

In the meantime, we will continue to eliminate from the advertisements certain phrases and/or photographs that we believe the great majority of our readers would find particularly offensive.

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On 2/26/71, AUSA [redacted] advised he did not desire an interview of the advertising manager of the LOS ANGELES FREE PRESS. He noted their advertising policy appeared similar to other newspapers including legitimate Santa Monica and San Francisco newspapers. In addition, the FREE PRESS is milder in content than many currently in distribution.

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AUSA [redacted] advised the postal inspector's office has a current investigation going regarding the FREE PRESS and it appeared that any prosecution which might be considered in the future, would be handled as a postal violation of sending obscene material through the mails.

On 3/4/71, [redacted] Postal Inspector, advised his office is currently conducting investigation into the advertising of obscene matters in the FREE PRESS. He said Inspector [redacted] is handling the case, and is making occasional test purchases of the material. If it is determined that hard-core pornography is sold through the mail in these advertisements, prosecution will then be considered by the United States Attorney. He said his investigation indicated the mails were being used exclusively in this matter, so that proper jurisdiction would be with the Post Office.

This matter is being closed at Los Angeles since it is being handled by the Post Office since they have primary jurisdiction involving distribution of pornography through the United States mail.